



XTO--Van Houten Affidavit ISO Reply ISO MSJ Against StarStone.pdf

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E-Signature Summary

E-Signature 1: Greg Van Houten (GVH)

June 10, 2020 06:00:49 -8:00 [82E34EB50470] [38.122.13.206]
 greg.vanhouten@haynesboone.com (Principal) (Personally Known)

E-Signature Notary: Tiffany Thrasher (TNT)

June 10, 2020 06:00:49 -8:00 [D2E0851B6CCF] [4.16.235.6]
 tiffany.thrasher@haynesboone.com
 I, Tiffany Thrasher, did witness the participants named above electronically sign this document.



2. Attached hereto as Exhibit A is a true and correct copy of the “Drilling Contract Between Vastar Resources, Inc. and R&B Falcon Drilling Co.,” dated December 9, 1998. Notably, that Drilling Contract is the Drilling Contract that is referenced, analyzed, and referred to in the case captioned, *In re Deepwater Horizon*, 470 S.W.3d 452 (Tex. 2015). Indeed, footnote 4 in the opinion remarks that the operative “Drilling Contract was executed on December 9, 1998, between Vastar Resources Inc. (BP’s predecessor) and R&B Falcon Drilling Co. (Transocean’s predecessor).” *See id.* at 473, n.4. Although the Drilling Contract was referred to throughout the opinion and attached to the parties’ briefing, it was submitted under seal, and is not readily available on WestLaw, LexisNexis, or otherwise. However, Transocean Ltd. attached the Drilling Contract as Exhibit 10.1 to its Form 10-Q, submitted to the United States Securities and Exchange Commission, on June 30, 2010. The document is publicly available at: https://www.sec.gov/Archives/edgar/data/1451505/000145150510000069/exhibit10_1.htm

3. Attached hereto as Exhibit B is a true and correct copy of the “Master Service Agreement” executed between Endeavor Energy Resources, L.P. and Basic Energy Services, L.P. on June 18, 2009. That Master Service Agreement (“MSA”) is the MSA that was analyzed in the case captioned, *Ironshore Specialty Ins. Co. v. Aspen Underwriting, Ltd.*, 788 F.3d 456 (5th Cir. 2015). The MSA was attached as Exhibit 2 to Plaintiff Ironshore Specialty Insurance Company’s Motion for Summary Judgment, filed on December 7, 2012, at Docket Number 34-5.

* * *

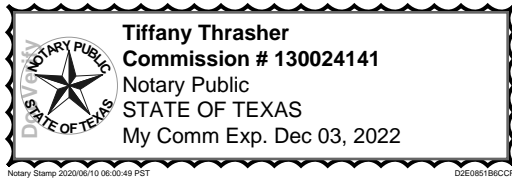


Greg Van Houten

Signed on 2020/06/10 06:00:49 -8:00

Greg Van Houten

SWORN TO AND SUBSCRIBED before me on this 10th day of June 2020.



Tiffany Thrasher

Signed on 2020/06/10 06:00:49 -8:00

Notary Public in and for the State of Texas

(PERSONALIZED SEAL)

